

1884, ch. 92.

139. In order to enable the burgess and commissioners of Emmitsburg to carry out the provisions of the preceding section, the said burgess and commissioners are authorized, empowered and directed to levy annually, upon the taxable property within the corporate limits of Emmitsburg, in addition to the corporation taxes now allowed by law, a water tax, to be levied and collected the same as other corporation taxes are levied and collected; and the said taxes levied and collected for a water tax shall be kept as a separate fund, and shall not be used for any other purpose than to pay to the joint stock water company the interest on the cost of supplying the town with water as hereinbefore provided; and the burgess and commissioners of Emmitsburg shall levy annually, and collect for this purpose, a water tax not exceeding ten cents upon every hundred dollars of assessable property within the corporate limits of Emmitsburg.

FENCES.

1868, ch. 304.

140. Whenever joint fences have been or may be established in Frederick county for the mutual advantage of owners of adjoining arable lands, each shall keep in good repair his respective portion thereof in the manner following, that is to say: all post and rail or plank fences shall be at least four feet and a-half high; stone fences four feet high, and all worm or other fences shall be at least five feet high, and the distance in any case shall be computed from the ground or base of any embankment on which the same may be placed.

Ibid.

141. If either of the parties making or keeping a joint fence between arable lands shall refuse or delay to repair his proportion thereof within twenty days after notice in writing, given to him or his agent, upon proof thereof before a justice of the peace, the justice may, under his hand and seal, authorize the party aggrieved to repair the fence, and for so doing he shall be reimbursed all costs and reasonable expenses necessarily incurred, to be recovered from the party so refusing and delaying in the manner debts of a like amount are recoverable; and he shall have